

APPROVED: Meeting No. 27-90

ATTEST: *Sharon Gran*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 24-90

May 29, 1990

The Mayor and Council of Rockville, Maryland, convened in Public Hearing to be followed by General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on May 29, 1990, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Viola D. Hovsepian

Councilmember James T. Marrinan

Councilmember David Robbins

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: Public Hearing: FY1991
Operating Budget and FY1991-
1996 Capital Improvements
Program

The Mayor and Council conducted a Public Hearing on the FY1991 Operating Budget and FY1991-1996 Capital Improvements Program. The Mayor and Council heard all those persons as can be found in the official stenographic transcript. There being no other persons wishing to be heard, the Mayor declared the hearing closed, with the record to be left open for one week, until June 5, 1990.

Re: Presentation by Student
Government Days' Participants

Seventeen students from four area high schools have worked for three weeks on selected issues related to local government. The City Manager reported that the City's Student Government Days program was recently featured in a national publication.

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The students presented their findings and recommendations regarding the following four issues:

1. assessment of the Town Center Plan and enhancements;
2. beautification of state gateway entrances into the City of Rockville;
3. proposed policies to counter racism and discrimination; and
4. preservation of wildlife areas in Rockville.

Following a question and answer period, the Mayor and Council presented the students with Certificates in recognition of their diligent efforts.

Re: Proclamation declaring the week of June 3-9, 1990, as "Garden Week" in Rockville.

Proclamation No. 18-90

By a unanimous vote of the Mayor and Council, the week of June 3-9, 1990, was declared "Garden Week" in Rockville. At the request of the Mayor, Councilmember Hovsepian read the Proclamation, the full text of which can be found in Proclamation File No. 5 of the Mayor and Council. Sharon Jackson of the Woodley Gardens Garden Club accepted the Proclamation.

Re: Proclamation declaring the week of June 3-9, 1990, as "Safe Boating Week."

Proclamation No. 19-90

By a unanimous vote of the Mayor and Council, the week of June 3-9, 1990, was declared "Safe Boating Week." At the request of the Mayor, Councilmember Robbins read the Proclamation, the full text of which can be found in Proclamation File No. 5 of the Mayor and Council. The Proclamation was presented to D. Roger Picard and other members of the Rockville Power Squadron.

Re: City Manager's Report

1. The Hometown Holidays celebration was an extremely successful weekend and

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staff received countless expressions of praise. A follow-up meeting will be held very soon to formally assess the weekend.

2. Tomorrow evening there will be another in a series of budget worksessions to include the CIP, outside agency requests and the tax rate. Inasmuch as the Planning Commission has not had an opportunity to do their normal review of the CIP, staff feels it appropriate for the Mayor and Council to have a joint review of the CIP with the Planning Commission at the worksession tomorrow night.

3. In response to Mayor and Council inquiries regarding fourth of July fireworks, the finale will be embellished in addition to the giant birthday cake.

4. The modular unit will be moved to the Red Barn site at approximately 11:00 a.m. tomorrow. Information will be provided regarding the date for the "door unlocking."

Mayor Duncan thanked the Recreation and Parks Department, Public Information and everyone who contributed to the success of Hometown Holidays. The Mayor and Council will forward their comments regarding the weekend activities to staff.

Re: Citizens' Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Mansfield Kaseman, 704 Carter Road, briefed the Mayor and Council on the visit to the City last week of three Soviet guests. These individuals are in the United States as part of the Bridges for Peace exchange and the visit to Rockville and City Hall was the highlight of their experience. Rev. Kaseman thanked Councilwoman Hovsepian and Public Information Officer Don Vandrey for their assistance in making the visitors welcome.

2. Ruth Loevinger, 12 Lakeside Overlook, voiced concern with the traffic pattern at the entrance to New Mark Commons upon completion of improvements to Maryland Avenue. She indicated that the mailbox located there is not set in concrete and asked

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the City to intercede with the Post Office in order to secure the mailbox and forestall any accidents.

Re: Appointments

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, Gideon Samid and Izione Silva were appointed to two-year terms on the Advisory Commission on Public Education.

Re: Approval of Minutes

Upon motion of Councilmember Hovsepian, duly seconded, with Councilmember Robbins abstaining, the minutes of Meeting No. 20-90 (May 14, 1990) were approved, as amended.

Upon motion of Councilmember Hovsepian, duly seconded, with Councilmember Robbins abstaining, the minutes of Meeting No. 21-90 (May 15, 1990) were approved, as written.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the minutes of Meeting No. 22-90 (May 21, 1990) were approved, as written.

Re: Consent Agenda

Councilmember Hovsepian requested that Item A be removed from the Consent Agenda and Councilmember Robbins requested removal of Item B.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the following Consent Agenda Items were approved:

- C. Award of Bid No. 1-91 for Janitorial Services to Carefree Cleaning for the low bid amount of \$36,000 for Year I. Budget amount is \$37,000.

This project provides janitorial cleaning services for City Hall.

- D. Purchase from Motorola

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Communications and Electronics Company of twenty-five (25) portable FM two-way radios and ancillary equipment for the low bid price of \$40,181.40.

The Police Department is upgrading and replacing out-dated portable radios. The radios to be purchased will be individually assigned to officers to increase effectiveness, longevity, and safety while decreasing repair costs. Budget amount is \$41,601.

- E. Request for rejection of Bid No. 101-90, Redgate Pond Construction.

The project is budgeted in approved FY90 CIP funds in the amount of \$50,000. All nine bids exceed the budgeted amount.

- Re: Award of contract, Bid No. 2-91, Rockville Newsletter, to the Record Printing Co. for the low bid amount of \$26,563.46.

Councilmember Hovsepian asked that this Item (A) be removed from the Consent Agenda in order to inquire as to the budgeted amount which staff indicated is \$27,803. She indicated that she would be willing to increase the award amount to \$28,513 for the optional use of recycled paper. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Bid No. 2-91 of the Record Printing Co. was amended to include the optional cost of use of recycled paper. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Bid No. 2-91, was awarded to Record Printing Co. in the amount of \$28,513 for the printing, bundling, and delivery to the Post Office of 21,500 newsletters biweekly.

- Re: Award of Bid No. 113-90 for City-wide Asbestos Abatement to Decon Environmental for the

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low bid amount of \$79,735.
Budget amount is \$90,000.

This project includes all labor, materials, services and equipment necessary for the removal and disposal of asbestos containing materials at the Senior Center, Municipal Swim Center, City Hall, Public Works and Parks Administration Buildings, and Civic Center Mansion.

Councilmember Robbins asked that this item (B) be removed from the Consent Agenda in order to determine if there would be any disruption in service as a result of the asbestos abatement work at City facilities. The Superintendent of Parks responded that the two largest projects are the Swim Center and the Senior Center and the work would not require a shift of staff or activities at either site.

Re: Presentation of Proposals for Public Art in Woodley Gardens Park and Award of Commission in the amount of \$15,000.

The City's Art Consultant, Francoise Yohalem, presented the site-specific proposals and the recommendation resulting from the Art in Public Places' selection process. Upon motion of Councilmember Hovsepian, duly seconded, with a vote of four in favor and one opposed, the recommendation of the Nominating Committee and Cultural Arts Commission was approved and the commission awarded to Milomir Mile Jevtic for his sculpture entitled "Growing Tall." Mayor Duncan preferred the sculpture "Woodley Wildlife."

Re: Adoption of Resolution to approve temporary use application for operation of a carnival at 701 Rockville Pike, Rockville, Maryland, William F. Green, for Montgomery County Police Boys and Girls Club, applicant.

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In response to Mayor Duncan, the City Manager noted that the public safety issue would be addressed. He further noted that the carnival regulations had been amended to prohibit live animal, fish or fowl prizes in response to a concern raised at the public hearing. Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Resolution No. 12-90, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to approve the temporary use permit application for operation of a carnival at 701 Rockville Pike from June 13, 1990 through June 24, 1990.

Re: Approval of Mayor and Council
travel

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, expenses were approved for Mayor and Council travel as follows: All-America City Award presentation, Mayor Duncan and Councilmember Robbins; U.S. Conference of Mayors, Mayor Duncan; Maryland Municipal League Annual Conference, Councilmembers Coyle, Hovsepien, Marrinan and Robbins.

Re: Award of Bid No. 88-90, Voice
Telecommunications System, to
the Fortran Corporation,
Lorton, Virginia in the amount
of \$304,846, for the purchase
and installation of telephones
and related telecommunications
equipment and services.

This bid award for acquisition of telephones, voice mail, and related hardware and software is not based solely on price. Equipment, technical skill and system functions were evaluated in addition to price in making this recommendation. The City Manager reported that a number of fine proposals had been received from which four finalists were selected. Site visits were made to the finalists for demonstration of existing systems or something similar to that being proposed. The recommended proposal is right at the budget figure and funding is included in this year's CIP. In response to Councilmember Coyle, staff stated that the useful life of the proposed system is ten

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years and that it is easily adaptable to future expansions.

Upon motion of Councilmember Hovsepian, duly seconded, with Mayor Duncan abstaining, Bid No. 88-90, Voice Telecommunications System, was awarded to the Fortran Corporation in the amount of \$304,846.

Re: FYI/Correspondence

Councilmember Coyle referenced the designation of new policy areas by the County Planning Board and the City Manager that staff would provide further information as to the impact of such changes.

Regarding the Planning Commission's request that the public hearing on the operating budget and CIP be held open to receive their comments, Mayor Duncan indicated that this is not necessary in light of the joint meeting to take place the following evening.

Mayor Duncan indicated his delight to see Hagan's Four Courts open and welcomed them to Rockville.

Mayor Duncan congratulated staff on the Community Enhancement Program and indicated that the letters to residents add a nice touch.

Councilmember Hovsepian referenced the two letters received regarding Text Amendment Application T-102-89, "personal living quarters" and asked the City Attorney to respond to the concerns raised regarding the appropriateness of the process used. The City Attorney stated that the text amendment process followed is appropriate and that the questions raised are really policy issues. He indicated that there is no legal problem with the proposal as presented. Councilmember Hovsepian noted that, contrary to a statement in one of the letters, no public funds were used to renovate the Daisy Magruder House; funding is shared by Community Ministries and Rockville United Methodist Church.

Councilmember Coyle referenced the letter from College Gardens Civic Association in opposition to the special exception application for a car wash adjacent

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to the Shell station in College Plaza. He agreed that this would present a safety problem, and the City Manager stated that he would provide the Mayor and Council with the staff report in this matter.

Mayor Duncan noted several items:

1. a meeting should be scheduled in the near future in response to a request from the City-to-City Task Force;
2. the new president of Courthouse Walk Homeowners Association is Janet Zuckerman; and
3. a response will be provided to the National Chamber Orchestra following the budget worksession on outside agency requests.

Re: New Business

Councilmember Hovsepian requested that staff look into information regarding tax relief available for golf courses in connection with "open space" and determine the impact to the City of making such a program applicable to Putt Putt Golf Course.

Mayor Duncan referenced a memorandum from the Board of Supervisors of Elections requesting that the Mayor and Council amend the Charter to provide for staggered terms for the Board members. The City Attorney was requested to develop appropriate language.

Re: Executive session

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the Mayor and Council convened in executive session at 11:05 p.m. to discuss land disposition and personnel matters.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 12:01 a.m., to convene again in Worksession at 7:30 p.m. on May 30, 1990, or at the call of the Mayor.